

**IN THE UNITED STATES DISTRICT COURT
FOR THE STATE OF NEW MEXICO**

**STATE OF NEW MEXICO, *ex rel.*
State Engineer**

Plaintiff,

v.

RAMON ARAGON, *et al.*,

Defendants.

69cv07941 JEC-ACE

**RIO CHAMA STREAM SYSTEM
Section 3: Rio Nutrias, Rio Cebolla
Canjilon Creek**

**Subfile Nos. CHNU-001-0003
CHNU-002-0002
CHNU-002-0007
CHCB-007-0003
CHCJ-003-0084**

MOTION TO CORRECT CLERICAL ERRORS

COMES NOW the plaintiff, State of New Mexico, *ex rel.*, State Engineer, by and through his attorneys, and moves the Court to enter its order correcting clerical errors in the Consent Orders filed with the Court for the following defendants and subfiles:

Lucia A Montoya	CHNU-001-0003, CHNU-002-0002 CHNU-002-0007
Robert J. Montoya	CHNU-001-0003, CHNU-002-0002 CHNU-002-0007
Gustavo Martinez	CHCB-007-0003
Rosina O. Martinez	CHCB-007-0003
Joseph G. Medina	CHCJ-003-0084

and as grounds therefore plaintiff states:

1. Under Rule 60(a), clerical mistakes in judgments or orders arising from oversight or omission may be corrected by the court at any time on its own initiation or on the motion of any

party and after such notice, if any, as the court orders.

2. In subfile CHNU-001-0003 (Lucia A. Montoya, Robert J. Montoya), the Consent Order filed February 26, 2002 (Docket No. 6576) incorrectly describes the location of the tract of land under paragraph "A" and the order failed to include a reference to the nearest 1/4 section for the location of the tract of land under paragraph "B".

3. In subfile CHNU-002-0002 (Lucia A. Montoya, Robert J. Montoya), the Consent Order filed February 26, 2002 (Docket No. 6574) failed to include a reference to the nearest 1/4 section for the location of the tract of land under paragraph "B".

4. In subfile CHNU-002-0007 (Lucia A. Montoya, Robert J. Montoya), the Consent Order filed February 26, 2002 (Docket No. 6573) failed to include a reference to the nearest 1/4 section for the location of the tract of land under paragraph "A".

5. In subfile CHCB-007-0003 (Gustavo Martinez, Rosina O. Martinez), the Consent Order filed February 26, 2002 (Docket No. 6568) failed to include complete information for the section, township and range and a reference to the nearest 1/4 section for the location of the tracts of land under both paragraphs "A" and "B".

6. In subfile CHCJ-003-0084 (Lucia A. Montoya, Robert J. Montoya), the Consent Order filed February 26, 2002 (Docket No. 6565) failed to include references to the nearest 1/4 section for the location of the tracts of land under both paragraphs "A" and "B".

WHEREFORE, the plaintiff State of New Mexico requests the Court to enter its order correcting the clerical errors and omissions described above.

Respectfully submitted,

/electronic signature/

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CERTIFICATE OF SERVICE

I certify that the foregoing Motion to Correct Clerical Errors was mailed to the following persons on June 28, 2002.

/electronic signature

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